

**CHAPTER NO. 101**

**SENATE BILL NO. 258**

**By Womack**

Substituted for: House Bill No. 1260

By Walker, Wood, Gunnels, Armstrong, Sargent

AN ACT To amend Tennessee Code Annotated, Title 56, Chapter 7, Part 1, relative to insurance policies.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 1, is amended by adding the following as a new section:

Section \_\_\_\_\_. (a) Every insurance policy, issued to or for the benefit of any citizen or resident of this state shall be written in the English language.

(b) Nothing in this part shall prohibit an insurer from advertising or providing information or translations to consumers in a language other than English, provided the advertisement or informational materials clearly state the insurance policy being advertised is available only in English.

(c) In the event of a dispute, the language contained in the insurance policy is controlling and any advertisement or informational materials used by an insurer shall not be construed to modify or change the insurance policy.

(d) Notwithstanding the provisions of subsection (c), the use of any advertising or informational materials by any person, without regard as to the language in which such materials are written, that materially contradict or misrepresent any provision of the underlying policy of insurance shall constitute an unfair and deceptive practice in the insurance business as provided by Tennessee Code Annotated, Sections 56-8-103 and 56-8-104.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 26, 1999

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 4th day of May 1999

  
DON CONQUIST, GOVERNOR